



DEFENSE LOGISTICS AGENCY  
TROOP SUPPORT  
700 ROBBINS AVENUE  
PHILADELPHIA, PENNSYLVANIA 19111-5092

IN REPLY  
REFER TO

MAY 07 2019

Darrell Kem  
CEO  
Warfighter Focused Logistics  
3894 Worthington Road  
Galena, OH 43021

Dear Mr. Kem:

This letter is in response to your e-mail of March 7, 2019, protesting Purchase Order SPE8E9-19-P-0438 issued to ITL LLC DBA ITL Solutions (ITL), CAGE 7BGA2, on February 28, 2019. The protest was submitted under Federal Acquisition Regulation (FAR) 33.103 and Executive Order (E.O.) 12979.

The acquisition is for a quantity of 654 EA, Siamese Connection, Fire Hose, NSN 4210-00-255-0234, at a unit price of \$315.21, total dollar amount \$206, 147.34, delivery 250 days ADO.

You assert that Warfighter Focused Logistics (WFL) had quoted a lower unit price, (b) (4). You further assert that the solicitation was a Service Disabled Veteran Owned Small Business (SDVOSB) set aside, and that WFL is a CVE certified SDVOSB.

Your protest is dismissed because you lack standing to protest the subject award. Under the Bid Protest Regulations promulgated by the Comptroller General of the United States pursuant to the Competition in Contracting Act, and published in Title 4 of the Code of Federal Regulations (4 CFR 21 et. seq.), only an "interested party" may file a protest. Both Solicitation SPE8E9-18-T-4078 and Purchase Order SPE8E9-19-P-0438 indicated that the item of supply is subject to the Joint Certification Program (JCP). The manufacturer you named in your quotation under SPE8E9-18-T-4078, (b) (4), is not JCP-certified. Accordingly, WFL was not eligible for award and therefore failed to have the direct economic interest required to be considered an interested party.

Thank you for your concerns and continued participation in the DLA Troop Support acquisition process.

Sincerely,

  
JAMES R. S. GAYTON  
CAPT, SC, USN  
Director, Procurement Process Support